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Plessey vs. Ferguson: The fight for freedom

Many men throughout the history of this country have fought hard for their rights and freedom. One of the loyal and courageous men was Homer Plessey, a black man with light enough skin with pale enough skin to pass as a white man.

Homer Plessey was a black thirty- year-old shoemaker who was only 1/8th black, and was able to pass as a white man. But, despite his appearance, the Louisiana law categorized him as black. Plessey was asked by the Citizens Committee (a New Orleans political group made up of African Americans and Creoles like Plessey) to help them challenge the newly enacted Separate Car Act, a Louisiana law that separated blacks from Whites in railroad cars. The penalty for sitting in the wrong car was either twenty days in jail or a $25 fine. He agreed, and purchased a first class ticket on a train to Covington. He then took a seat in the ‘Whites Only” car and waited for the conductor. When the conductor arrived, Plessey told him that he was 1/8 Black and that he was here by refusing to move to the “colored car”. The conductor called the police and had Plessey arrested at once. He spent the night in the local jail and was released the next morning.

The Citizen s Committee had already retained a New York attorney, Albion W. Tourgee, who had worked on civil rights cases for African Americans before. Plessey’s case went to trial a month after his arrest and Tourgee argued that Plessey‘s civil rights under the Thirteenth and Fourteenth Amendments to the Constitution had been violated. While Judge John Ferguson had once ruled against separate cars for interstate railroad travel, he ruled against Plessey in this case because he believed that the state had a right to set segregation laws within its own borders. Tourgee took the case to the Louisiana Supreme Court, which upheld Ferguson‘s decision

In 1896 the Plessey vs. Ferguson case was reviewed by the U.S. Supreme Court Justice Henry Brown wrote:*“The Supreme That [the Separate Car Act] does not conflict with the Thirteenth Amendment, which abolished slavery...is too clear for argument...A statute which implies merely a legal distinction between the white and colored races -- a distinction which is founded in the color of the two races, and which must always exist so long as white men are distinguished from the other race by color -- has no tendency to destroy the legal equality of the two races...The object of the Fourteenth Amendment was undoubtedly to enforce the absolute equality of the two races before the law, but in the nature of things it could not have been intended to abolish distinctions based upon color, or to enforce social, as distinguished from political equality, or a commingling of the two races upon terms unsatisfactory to either.”*

The only justice who did not agreed, Justice John Harlan, wrote:  “*Our Constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law...In my opinion, the judgment this day rendered will, in time, prove to be quite as pernicious as the decision made by this tribunal in the Dred Scott case...The present decision, it may well be apprehended, will not only stimulate aggressions, more or less brutal and irritating, upon the admitted rights of colored citizens, but will encourage the belief that it is possible, by means of state enactments, to defeat the beneficent purposes which the people of the United States had in view when they adopted the recent amendments of the Constitution.”*

This event was important in many ways because it showed that blacks would fight for their rights in any way possible. This event also shows the strength of the blacks and this event showed the whites that the blacks have become a strong nation and that we can’t deny them their rights much longer.

I believe without this event blacks could have not been able to have equal rights. Also it would show that the blacks had no pride for who they are and where they come from. It would directly impact them by making it seem like they did not know that they were only able to sit in the black car of the train and even if they did know they would do nothing about the crime on their civil rights.

The decision let the growth of “separate but equal” expand to many states but gave the black’s a little more rights. But it also ensured the black’s that their rights were still being violated by the white’s of America and with that knowledge they blacks latter in the history of their civil rights movement in the 1960’s when martin Luther king was one of their main speakers.